

EXHIBIT 2

IN THE DISTRICT COURT IN AND FOR ROGERS COUNTY
STATE OF OKLAHOMA

JUN -5. 13

EUGENE L. JOHNSON,

Plaintiff,

vs.

PROGRESSIVE INSURANCE COMPANY,

Defendant.

ROGERS COUNTY CLERK

Case No. CJ-2013-290

Jury Trial Demanded
Attorney Lien Claimed

PETITION

COMES NOW the Plaintiff, Eugene L. Johnson, by and through his attorney of record, Max D. Watkins, and for his causes of action against the Defendant, Progressive Insurance Company alleges and states as follows:

COUNT I.

FAILURE TO PAY CLAIM

1. Plaintiff, Eugene Johnson, purchased an Uninsured Motorist Policy from Progressive Insurance Company, policy number 01947119-7, in the sum of \$10,000.00.
2. Plaintiff was severely injured in a motor vehicle accident on December 14, 2011, and has incurred medical expenses in the sum of \$50,306.76 (See attached Medical Summary marked Exhibit "A").
3. Plaintiff has cooperated with the Defendant, Progressive Insurance Company, in presenting his claim and has delivered to the Defendant, Progressive Insurance Company, all bills and medical reports and given a recorded statement answering all questions propounded by the Defendant, Progressive Insurance Company.

4. As a result of the collision, Plaintiff, Eugene L. Johnson, made demand upon Defendant, Progressive Insurance Company, for all benefits he is entitled under the Uninsured Motorist Insurance Policy.

5. Defendant, Progressive Insurance Company, has improperly denied payment of Plaintiff's claim, thereby breaching its obligation to the Plaintiff under the insurance policy and contract, such actions to not honor the contract were intentional, willful and malicious.

6. As a direct and proximate result of the Defendant, Progressive Insurance Company's, breach of the insurance contract and failing to perform as required under the insurance contract, Plaintiff has suffered damages.

COUNT II.

BREACH OF THE DUTY OF GOOD FAITH AND FAIR DEALING

1. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 6 of this Petition.

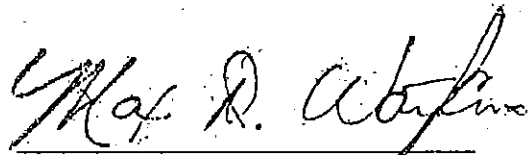
2. Defendant, Progressive Insurance Company, has failed to properly and timely investigate, evaluate and pay the Plaintiff's claim, in violation of its duty of good faith and fair dealing under the insurance policy and the law of the State of Oklahoma.

3. Plaintiff has made every reasonable effort to act in good faith by complying with and fulfilling all obligations of the insurance policy, including payment of the premium and notification of the loss.

4. As a direct and proximate cause of the Defendant, Progressive Company's, breach of its duty of good faith and fair dealing, Plaintiff has suffered emotional distress, mental anguish, anger, anxiety, embarrassment and financial losses.

5. Defendant, Progressive Insurance Company's conduct toward the Plaintiff has been in reckless disregard of its duty to deal fairly and act in good faith with its insured, oppressive, malicious, and intentional, and the Plaintiff is entitled to a judgment for exemplary damages to deter Defendant, Progressive Insurance Company, and others similarly situated from engaging in like conduct.

WHEREFORE, the Plaintiff prays for Judgment against the Defendant, Progressive Insurance Company, in a sum in excess of \$10,000.00, prejudgment interest, attorney fees, punitive damages, costs, and such other and further relief the Plaintiff may show himself entitled. Further, Plaintiff prays that the Court schedule this cause for hearing as soon as possible and that this matter be expeditiously advanced on the Court's calender.



MAX D. WATKINS, OBA #9384

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In re:

Eugene Johnson

P.O. Box 305

Afton, OK 74331-035

Accident Date: 12-14-2011

Client Number: 314

MEDICAL SUMMARY

Medical Provider	Cost of Service
Integris Baptist Regional Health Center	\$9,976.35
Tulsa Bone and Joint Associates	\$5,640.00
Diagnostic Imaging	\$657.00
Bradley G. Christianson DO PC- Sooner Anaesthesiology	\$2,443.00
Union Pines Surgery Center	\$3,900.00
Tulsa Spine and Specialty Hospital	\$3,677.00
Powers Radiology	\$1,024.00
NEO Orthopedics & Rehabilitation	\$2,152.11
St. John Medical Center	\$16,509.30
St. John Physicians Inc.	\$4,328.00
TOTAL SPECIALS	\$50,306.76